IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 6675 of 2005

Between:

Rongali Demudu S/o Muthyam,
AnthakapalliGram Panchayat, Sabbavaram Mandal, Visakhapatnam District

..... PETITIONER

AND

1 The District Collector, Visakhapatnam, Visakhapatnam District
2 The District Panchayat Officer, Visakhapatnam, Visakhapatnam District
3 The Mandal Revenue Officer, Sabbavaram Mandal, Visakhapatnam District
4 Sabbavarapu Lakshmanamma, W/o Demudu ,
Ravalamma Palem, Anthakapalli Village, Sabbavaram Mandal, Visakhapatnam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction declaring the action of the Respondents 1 & 2 herein in not taking any action pursuant to the representation submitted by the petitioner on 7-3-2005 against the Respondents 3 & 4 herein as arbitrary, illegal and unjust and consequently direct the 4th respondent not to proceed with any construction over the land measuring an extent of ac. 0.03 cents situated in Sy. No. 329/p (Gram Kantam) of Ravulammapalem, Anthakapalli Village, Sabbavaram Mandal, Visakhapatnam District and pass such other order or orders.

Counsel for the Petitioner: MR.T.NIRANJAN REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL

DEV.

Counsel for the Respondent No.4: --

This Court at the admission stage made the following :

O R D E R:

This writ petition is filed seeking a declaration that the alleged inaction on the part of the first and second respondents in taking necessary action on the representation dated 07-03-2005 submitted by the petitioner complaining that the fourth respondent has been making illegal and unauthorised constructions is arbitrary and illegal.

Having heard the learned Counsel for the petitioner and the learned Government Pleader for Panchayat Raj appearing for the respondents 1 to 3 and upon a perusal of the material on record, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent to consider the representation dated 07-03-2005 submitted by the petitioner and to pass appropriate orders, in accordance with law, after affording due opportunity to the fourth respondent to rebut the allegations as to the unauthorised constructions. Such an exercise shall be completed as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order. No costs.

(G. ROHINI,J)

Date: 29-03-2005

Note:

Issue CC in two days.

B/o

ghn

To

1 The District Collector, Visakhapatnam, Visakhapatnam District

2 The District Panchayat Officer, Visakhapatnam, Visakhapatnam District

3 The Mandal Revenue Officer, Sabbavaram Mandal, Visakhapatnam District

4 Two CCs to the Government Pleader for Panchayat Raj and Rural Development, High Court of A.P., Hyderabad. (O.U.T.).

5 Two CD copies.